

**Mississippi Electronic Courts**  
**Second Circuit Court District of Mississippi (Harrison Circuit Court - Gulfport)**  
**CIVIL DOCKET FOR CASE #: 24CI1:21-cv-00042**

Baldwin et al v. Gulf Island Water Park  
Assigned to: Judge Lisa P. Dodson

Date Filed: 02/16/2021  
Current Days Pending: 7  
Total Case Age: 7  
Jury Demand: Plaintiff  
Nature of Suit: 181 Negligence -  
General

**Upcoming Settings:**

None Found

---

**Plaintiff**

**Gabrielle Baldwin**  
14987 Greenwell Cir  
Biloxi, MS 39532

represented by **Kenneth Michael Altman**  
Morris Bart, PLC  
1712 15th Street, Suite 200  
GULFPORT, MS 39501  
228-276-0308  
Fax: 228-865-7885  
Email: kaltman@morrisbart.com  
*ATTORNEY TO BE NOTICED*

**Ida Henley**  
Morris Bart, Ltd.  
1712 15th Street  
Suite 300  
GULFPORT, MS 39501  
228-574-4118  
Fax: 800-474-1792  
Email: ihenley@morrisbart.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Rebecca Bullard**

represented by **Kenneth Michael Altman**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ida Henley**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**



**Gulf Island Water Park**

12435 Plunkett Rd  
Gulfport, MS 39503

Date Filed	#	Docket Text
02/16/2021	<u>1</u>	COMPLAINT against Gulf Island Water Park, filed by Rebecca Bullard, Gabrielle Baldwin. (Attachments: # <u>1</u> Civil Cover Sheet,) (Nash, Cody) (Entered: 02/16/2021)
02/16/2021	<u>2</u>	SUMMONS Issued to Gulf Island Water Park. RETURNED TO ATTORNEY FOR SERVICE (Nash, Cody) (Entered: 02/16/2021)
02/23/2021	<u>4</u>	CERTIFICATE OF SERVICE by Gabrielle Baldwin, Rebecca Bullard (Henley, Ida) (Entered: 02/23/2021)

MEC Service Center			
Transaction Receipt			
02/23/2021 18:14:45			
You will be charged \$0.20 per page to view or print documents.			
MEC Login:	tc7826M	Client Code:	1291.043
Description:	Docket Report	Search Criteria:	24CI1:21-cv-00042
Billable Pages:	2	Cost:	0.40

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

GABRIELLE BALDWIN AND  
REBECCA BULLARD

PLAINTIFFS

VS.

CIVIL ACTION NO: A2401-2021-042

GULF ISLANDS WATER PARK

DEFENDANT

COMPLAINT  
JURY TRIAL REQUESTED

NOW INTO COURT, through undersigned counsel, comes the Plaintiffs, Gabrielle Baldwin and Rebecca Bullard, who file this Complaint against the Defendant, Gulf Islands Water Park ("Gulf Islands"), and shows this Honorable Court that:

I.

The Plaintiffs, Gabrielle Baldwin and Rebecca Bullard, are persons of majority and domiciled in Harrison County, State of Mississippi.

II.

Defendant, Gulf Islands, upon information and belief, is licensed to do business and currently doing business in the State of Mississippi, who may be served with process by registered agent, Registered Agent Solutions, Inc., at 12435 Plunkett Road, Gulfport, MS 39503, or wherever they may be found.

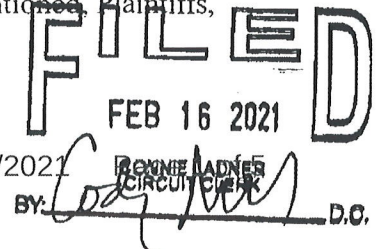
III.

This cause of action occurred or accrued in Harrison County, Mississippi; and pursuant to the provisions Miss. Code Ann. §11-11-3, as amended, venue is proper in this Court.

IV.

That on or about June 19, 2020, and at all times hereinafter mentioned, Plaintiffs,

1



Gabrielle Baldwin and Rebecca Bullard, were business invitees at the Gulf Islands in Gulfport, Mississippi.

V.

That Plaintiffs were in riding on a two-person inner tube designated for a ride named "Horn Blaster." That while the Plaintiffs were waiting in the inner tube, the water to the ride was shut off. That while the water was shut off, an employee operating the ride sent the Plaintiffs onto the ride. That Plaintiffs reached a certain point of the ride that requires water to move the inner tube forward, and since there was no water to propel the inner tube forward, the Plaintiffs slid backwards and forcefully landed on a section of the ride containing jets that would normally be shooting water, causing injury.

VI.

That at all pertinent times, Defendant failed to safely operate the ride on the premises and placed the public attendees in danger of injury on the ride.

**COUNT ONE: NEGLIGENCE AND NEGLIGENCE PER SE**

VII.

That Gulf Islands' negligence and negligence per se, was the direct and proximate cause of the subject accident as more fully described below:

- a. By failing to maintain and safely operate their business;
- b. In operating the business in an improper, unsafe, and negligent manner;
- c. In failing to warn the Plaintiff of a hidden danger that they caused;
- d. In failing to provide notice of a danger in which they were aware of;
- e. By sending Plaintiffs on a ride with willful, wanton, and reckless disregard for the safety of others;
- e. By failing to see what should have been seen;



- f. In violating the duties owed to a business invitee;
- g. In violating industry standards and safety codes;
- h. In violating company policies and procedures;
- i. In violating the Revised Statutes of the State of Mississippi, all of which are pled as if copied herein in extenso;
- j. In violating Federal regulations and guidelines; and
- k. All other acts of negligence and negligence per-se which were the cause of the injuries sued upon herein and will be shown at the trial of this matter.

IX.

That the sole, proximate, and only cause of the resulting injuries pled herein, was the negligence and other actions and/or omissions of Defendant, without any negligence on the part of the Plaintiffs.

X.

That as a direct and proximate result of the acts pled herein, Plaintiffs, Gabrielle Baldwin and Rebecca Bullard, suffered injuries.

XI.

As a result thereto, Plaintiffs, Gabrielle Baldwin and Rebecca Bullard have suffered the following damages as may be shown by a preponderance of the evidence: past, present, and future bills for medical treatment; past, present, and future physical pain and suffering; fear for the future consequences of the injuries sustained; past, present, and future mental and emotional anguish and distress including fear of further future injury and loss of enjoyment of life.

**COUNT TWO: GROSS NEGLIGENCE**

XII.

The allegations of the preceding paragraphs are incorporated by reference.

XIII.

Defendant's actions and the manner in which the ride was operated with no water being filtered through to safely operate the ride, placed not only the Plaintiffs, but all patrons present in danger and evidences a willful and wanton disregard for the safety of the general public.

XIV.

In addition to compensatory damages, Plaintiffs seek and demand punitive damages based on the Defendant's reckless disregard for the safety of the invited public and to punish the defendant(s) and make an example of them for the community.

XV.

Plaintiff shows that he is entitled to a trial by jury on all issues raised herein, and prays for a trial by jury on all issues raised herein.

**WHEREFORE**, your Plaintiffs, Gabrielle Baldwin and Rebecca Bullard, pray that the Defendant, Gulf Islands, be served with a copy of this Complaint, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Plaintiffs, and against the Defendant as alleged, together with legal interest at the rate of 8%, and for all costs of these proceedings including expert witness fees to be taxed as costs of court, attorney's fees and expenses and for all legal and equitable relief this honorable court shall deem appropriate. Further, a **TRIAL BY JURY** is requested on all issues raised herein.

**RESPECTFULLY SUBMITTED**, this the 7<sup>th</sup> day of January, 2021.

**PLAINTIFFS, GABRIELLE BALDWIN AND REBECCA BULLARD**

BY:

  
IDA HENLEY, MSB #105757

IDA HENLEY, MSB # 105757  
KENNETH M. ALTMAN, MSB # 9936  
MORRIS BART, LTD  
1712 15TH STREET , SUITE 300  
GULFPORT, MS 39501  
PHONE: 228-574-4118  
E-MAIL: [ihenley@morrisbart.com](mailto:ihenley@morrisbart.com)



<b>COVER SHEET</b> <b>Civil Case Filing Form</b> <i>(To be completed by Attorney/Party Prior to Filing of Pleading)</i>		Court Identification Docket Number <u>241CE</u> County # <u>02</u> Judicial District <u>16</u> Court ID <u>21</u> District (CH, CI, CO) Month <u>02</u> Date <u>16</u> Year <u>21</u> This area to be completed by clerk	Case Year <u>2021</u> Docket Number <u>00042</u> Local Docket ID <u>CPD</u> Case Number if filed prior to 1/1/94
Mississippi Supreme Court Administrative Office of Courts Form AOC/01 (Revised 1/1/2001)			
IN THE <u>CIRCUIT</u> COURT OF <u>HARRISON</u> COUNTY			
Short Style of Case: <u>Gabrielle Baldwin and Rebecca Bullard vs. Gulf Islands Water Park</u> Party Filing Initial Pleading: Type/Print Name <u>Ida Henley</u> MS Bar No. <u>105757</u> Check (✓) if Not an Attorney <u>  </u> Check (✓) if Pro Hac Vice <u>  </u> Signature <u>Ida Henley</u> Compensatory Damages Sought: \$ <u>  </u> Punitive Damages Sought: \$ <u>  </u> Is Child Support contemplated as an issue in this suit? <u>  </u> Yes <u>  </u> No <u>  </u> If "yes" is checked, please submit a completed Child Support Information Sheet with Final Decree/Judgment			
PLAINTIFF - PARTY(IES) INITIALLY BRINGING SUIT SHOULD BE ENTERED FIRST (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL PLAINTIFFS ON SEPARATE FORM			
Individual <u>Baldwin</u> <u>Gabrielle</u> ( <u>  </u> ) Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV Address of Plaintiff <u>14987 Greenwell Circle Biloxi, MS 39532</u> Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: <u>  </u> Estate of <u>  </u> Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: <u>  </u> D/B/A / Agency <u>  </u> Business <u>  </u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: <u>  </u> D/B/A: <u>  </u>			
DEFENDANT - NAME OF DEFENDANT (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL DEFENDANTS ON SEPARATE FORM			
Individual <u>  </u> ( <u>  </u> ) Last Name First Name Maiden Name, if Applicable Middle Init. Jr/Sr/III/IV Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: <u>  </u> Estate of <u>  </u> ✓ Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: <u>  </u> D/B/A / Agency <u>  </u> Business <u>Gulf Islands Water Park</u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below: <u>  </u> D/B/A: <u>  </u>			
ATTORNEY FOR THIS DEFENDANT: <u>  </u> Bar No. <u>  </u> or Name: <u>  </u> Pro Hac Vice (✓) <u>  </u> (If known)			
In left hand column, check one (1) box that best describes the nature of this suit. In right hand column check all boxes which indicate secondary claims.			
<b>Business/Commercial</b> <input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Bankruptcy <input type="checkbox"/> Business Dissolution - Corporation <input type="checkbox"/> Business Dissolution - Partnership <input type="checkbox"/> Debt Collection <input type="checkbox"/> Employment <input type="checkbox"/> Examination of Debtor <input type="checkbox"/> Execution <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Pension <input type="checkbox"/> Receivership <input type="checkbox"/> Replevin <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other <u>  </u> <b>Domestic Relations</b> <input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Divorce: Irreconcilable Differences <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> UIFSA (formerly URESA) <input type="checkbox"/> Other <u>  </u> <b>Contract</b> <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Installment Contract <input type="checkbox"/> Insurance <input type="checkbox"/> Product Liability under Contract <input type="checkbox"/> Specific Performance <input type="checkbox"/> Other <u>  </u>	<b>Probate</b> <input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Commitment <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Heirship <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Name Change <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Testate Estate <input type="checkbox"/> Will Contest <input type="checkbox"/> Other <u>  </u> <b>Statutes/Rules</b> <input type="checkbox"/> Bond Validation <input type="checkbox"/> Civil Forfeiture <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> ERISA <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Extraordinary Writ <input type="checkbox"/> Federal Statutes <input type="checkbox"/> Injunction or Restraining Order <input type="checkbox"/> Municipal Annexation <input type="checkbox"/> Racketeering (RICO) <input type="checkbox"/> Railroad <input type="checkbox"/> Seaman <input type="checkbox"/> Other <u>  </u> <b>Appeals</b> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Employment Security Comm'n <input type="checkbox"/> Municipal Court <input type="checkbox"/> Oil & Gas Board <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other <u>  </u>	<b>Children and Minors - Non-Domestic</b> <input type="checkbox"/> Adoption - Noncontested <input type="checkbox"/> Consent to Abortion for Minor <input type="checkbox"/> Removal of Minority <input type="checkbox"/> Other <u>  </u> <b>Torts-Personal Injury</b> <input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input checked="" type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Negligence - General <input type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Products Liability <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other <u>  </u> <b>Mass Tort</b> <input type="checkbox"/> Asbestos <input type="checkbox"/> Chemical Spill <input type="checkbox"/> Dioxin <input type="checkbox"/> Hand/Arm Vibration <input type="checkbox"/> Hearing Loss <input type="checkbox"/> Radioactive Materials <input type="checkbox"/> Other <u>  </u> <b>Real Property</b> <input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Receiver Appointment <input type="checkbox"/> Tax Sale: Confirmation/Cancellation <input type="checkbox"/> Title, Boundary &/or Easement <input type="checkbox"/> Other <u>  </u> <b>Civil Rights</b> <input type="checkbox"/> Elections <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief <input type="checkbox"/> Prisoner <input type="checkbox"/> Other <u>  </u>	



IN THE CIRCUIT ☒ COURT OF HARRISON ☒ COUNTY, MISSISSIPPI  
FIRST ☒ JUDICIAL DISTRICT, CITY OF Gulfport

Docket No. \_\_\_\_\_ - \_\_\_\_\_  
File Yr Chronological No. Clerk's Local ID

Docket No. If Filed  
 Prior to 1/1/94 \_\_\_\_\_

**PLAINTIFFS IN REFERENCED CAUSE - Page 1 of \_\_\_\_ Plaintiffs Pages  
 IN ADDITION TO PLAINTIFF SHOWN ON CIVIL CASE FILING FORM COVER SHEET**

**Plaintiff #2:**

**Individual:** Bullard Rebecca \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS PLAINTIFF: 105757 Bar # or Name: Ida Henley Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

**Plaintiff #3:**

**Individual:** \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS PLAINTIFF: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

**Plaintiff #4:**

**Individual:** \_\_\_\_\_  
Last Name First Name (Maiden Name, if Applicable) Middle Init. Jr/Sr/III/IV

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style:

Estate of \_\_\_\_\_

\_\_\_\_ Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (D/B/A) or State Agency, and enter that name below:

D/B/A \_\_\_\_\_

**Business** \_\_\_\_\_  
Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated

\_\_\_\_ Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the name above, and enter below:

D/B/A \_\_\_\_\_

ATTORNEY FOR THIS PLAINTIFF: \_\_\_\_\_ Bar # or Name: \_\_\_\_\_ Pro Hac Vice (✓) \_\_\_\_ Not an Attorney(✓) \_\_\_\_

IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT

GABRIELLE BALDWIN AND  
REBECCA BULLARD

PLAINTIFFS

VS.

CIVIL ACTION NO: A2401-2021-042

GULF ISLANDS WATER PARK

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI

TO: GULF ISLANDS WATER PARK  
c/o Registered Agent Solutions, Inc.  
12435 Plunkett Road  
Gulfport, MS 39503

\*  
\*  
\*  
\*  
\*

(Or, wherever found.)

NOTICE TO DEFENDANT

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND  
YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to  
Ida Henley, Esquire, the attorney for the Plaintiff, whose address is 1712 15th Street, Suite 300,  
Gulfport, MS 39501.

Your response must be mailed or delivered within thirty (30) days from the date of  
delivery of this Summons and Complaint or a judgment by default will be entered against you for  
the money or other things demanded in the complaint.

You must file the original of your response with the Clerk of this Court within a  
reasonable time afterward.

Issued under my hand and the seal of said Court, this 16 day of February, 2021.

CIRCUIT CLERK OF HARRISON COUNTY

BY: Connie Ladner

CONNIE LADNER, CIRCUIT CLERK

HARRISON COUNTY

PO BOX 996

GULFPORT, MS 39502



**IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI  
FIRST JUDICIAL DISTRICT**

**GABRIELLE BALDWIN AND  
REBECCA BULLARD**

**PLAINTIFFS**

**VS.**

**CAUSE NO.: A2401-2021-042**

**GULF ISLANDS WATERPARK**

**DEFENDANT**

---

**NOTICE OF SERVICE OF DISCOVERY**

---

**COMES NOW**, Plaintiffs, Gabrielle Baldwin and Rebecca Bullard, by and through the undersigned attorney of record, and gives notice that, pursuant to the Mississippi Rules of Civil Procedure, they served the Defendant, Gulf Islands Waterpark, with their Complaint and the following discovery:

1. Plaintiff's First Set of Interrogatories;
2. Plaintiff's Request for Production of Documents Propounded to the Defendant, Gulf Islands Waterpark; and
3. Plaintiff's Request for Admissions to Defendant, Gulf Islands Waterpark.

**RESPECTFULLY SUBMITTED**, this the 23rd day of February, 2021.

BY: /s/Ida Henley  
IDA HENLEY, MSB# 105757

IDA HENLEY, MSB # 105757  
MORRIS BART, LTD  
1712 15TH STREET, SUITE 300  
GULFPORT, MS 39501  
PHONE: 228-574-4118  
FAX: 800-474-1792  
E-MAIL: [ihenley@morrisbart.com](mailto:ihenley@morrisbart.com)

**CERTIFICATE OF SERVICE**

I hereby certify that I have served with the Plaintiff's Complaint, a copy of the foregoing Notice of Service of Discovery on the Defendant, Gulf Islands Waterpark, pursuant to the Mississippi Rules of Civil Procedure.

**CERTIFIED** this the 23rd day of February, 2021.

/s/Ida Henley  
IDA HENLEY, MSB# 105757

IDA HENLEY, MSB # 105757  
MORRIS BART, LTD  
1712 15TH STREET, SUITE 300  
GULFPORT, MS 39501  
PHONE: 228-574-4118  
FAX: 800-474-1792  
E-MAIL: [ihenley@morrisbart.com](mailto:ihenley@morrisbart.com)